



# Surveillance Use Policy

Unmanned Aircraft Systems (UAS)  
San Diego Fire-Rescue Department

## PURPOSE

An Unmanned Aircraft Systems (UAS) is defined by Public Law 112-95, Section 331(8) as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. The Federal Aviation Administration (FAA) classifies all UAS that weigh under 55 lbs. as “Small UAS.” All of the UAS used by the San Diego Fire-Rescue Department (SDFD) fall under this FAA classification of “Small UAS.” Most UAS have a digital camera attached or designed as part of the aircraft.

A UAS is, in essence, a manually controlled video/photography camera that is attached to a small remote-controlled aircraft. The majority of the data collected by UAS is similar to a handheld “point-and-shoot” camera.

The purpose of the UAS is to manage and control emergency situations and assess damage for both the City and other local agencies if requested.

## USE

UAS may only be used in a geographically-confined, time-limited emergency situation in which lives are at risk, such as, but not limited to, a fire or a search and rescue mission.

SDFD will use UAS to support the following types of incidents/operations:

1. Bomb Squad incidents
2. Fire/HazMat incidents
3. Search and rescue operations, including Lifeguard incidents
4. Situational awareness on incidents
5. Post incident documentation flights
6. Requests to support other government agencies

SDFD UAS are primarily deployed within the City. SDFD UAS may also be deployed outside San Diego city limits if requested by an outside agency or if requested by an authorized SDFD unit that is responsible for an emergency operation beyond San Diego city limits. An example of this is when the UAS is requested to support the SDFD HazMat Team, which is responsible for providing services countywide under a Joint Powers Authority agreement.

In all cases, the UAS can only be requested and used to support the authorized types of operations listed in the SDFD Operations Manual, Standard Instruction 02, Section 46, Unmanned Aircraft System.

All requests for UAS support must be initiated by an Incident Commander or authorized agency representative to support a specific incident or event with a limited objective. UAS deployment is based on the equipment and capabilities needed for each specific mission.

Authorized uses of UAS:

1. Incident Command and Control



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- a. UAS can be used to give Incident Commanders (IC) an aerial perspective of the event being managed to get a more complete understanding of its nature and scope and to facilitate response planning.
- b. Such events may include any evolving incident scene, including bomb incidents, fires, hazmat incidents, search and rescue incidents, lifeguard incidents and to provide hazard identification and overall situational awareness.
- c. Such events may include post-incident disaster control/assessment, structural damage assessment, and origin investigation.
- d. All requests for UAS support shall be routed through the Incident Commander and must conform to SDFD policies and procedures.

### 2. Aerial Photography

- a. A UAS may also be used to collect video/photographs or other sensor data to document natural disasters and emergency incidents and for training purposes. SDFD only uses UAS for a defined purpose as set forth in the SDFD Operations Manual.

Data obtained may not be used for the following without consent: employment eligibility, promotion, or retention; credit eligibility; or health treatment eligibility unless expressly permitted by and subject to requirements of a regulatory framework. The collection, use, retention, or dissemination of data shall not be used to violate the Constitutional rights of any person, or in any manner that would discriminate against any person based upon their ethnicity, race, gender, national origin, religion, sexual orientation or gender identity.

Department procedure associated with UAS are:

- SDFD Operations Manual, Standard Instruction 02, Section 46 – Unmanned Aircraft System (UAS)

## DATA COLLECTION

SDFD shall only collect data using UAS, or use UAS-collected data, to the extent that such collection or use is a benefit to the public and is collected consistent with legal authorities.

UAS are capable of streaming and recording both still and video aerial imagery and other sensor data to identify areas of concern for IC personnel. This would include images of residential, commercial, and open spaces. Most of the video feed is streamed live to an onsite or offsite location for incident management. The number of images/videos that are captured, saved, and downloaded is very limited.

It is unlikely that UAS will inadvertently collect Personally Identifiable Information (PII) because of the high altitudes the UAS operate. If imagery is inadvertently collected containing PII, it shall be retained in accordance with SDFD policy, but for no longer than 180 days unless retention of the information is determined to be necessary to an authorized mission or investigation.



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To retain PII more than 180 days requires documentation stating the reason, estimated length of time the PII will be needed and supervisory approval.

### DATA ACCESS

Initially, only UAS Pilots, as defined by the Operations Manual, have access to the data. UAS Pilots are responsible for manually downloading imagery after the completion of each mission and either securing or deleting the imagery in accordance with SDFD policy.

If the data is regarded as Digital Media Evidence (DME), the data can be accessed and used by sworn SDFD personnel only in accordance with SDFD Operations Manual. DME is forensic information stored or transmitted in digital form that may be used in court proceedings.

### DATA PROTECTION

Imagery collected by UAS is stored on a digital media storage card onboard each individual aircraft. Data cards are cleared of all imagery at the completion of each mission in accordance with SDFD policy. Any imagery that must be retained is securely stored on a City of San Diego computer. Any access provided to UAS imagery will be managed by UAS personnel. UAS personnel assigned to gathering and accessing the DME are required to follow Department Procedures.

### DATA RETENTION

#### A. DME Retention and Management

- a. During a UAS mission, the UAS Pilot will manually activate the video recording capability of the UAS. It is treated as evidence throughout the remainder of the operation until the data is properly impounded and documented by the UAS personnel assigned to the operation. This captured video may be regarded as Digital Media Evidence (DME).
- b. The manner in which the DME is stored by the UAS as it is being captured will dictate how the evidence will be secured. If the evidence is stored on a removable device, that device shall be secured at the completion of each mission by the UAS Pilot or flight crewmember, as defined in the Operations Manual, that obtained the evidence. The crewmember will document the date, time, location, and incident numbers or other mission identifiers and the crewmembers involved in mission. This evidence shall be handled in accordance with City policy and procedures.
- c. If the DME is stored on the system hard drive, it shall be handled in accordance with accepted forensic standards for DME without the need to remove the actual storage device.
- d. As with all evidence, unauthorized personnel shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute DME.
- e. All access to DME must be specifically authorized by agency policy and in accordance with proper evidence handling procedures. The chain of custody documentation for the DME allows for necessary auditing to ensure that only authorized users are accessing the data for legitimate purposes.
- f. SDFD routinely provides DME to outside agencies, i.e., the District Attorney's Office and United States Attorney's Office. SDFD is only responsible for the retention and



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management of DME in its possession and cannot control the use, retention and management of DME lawfully in the possession of a third party.

#### B. Digitally Recorded Imagery Not Considered DME

- a. All digitally recorded imagery (video or still photography), or other data, not required as evidence or for use in an on-going investigation shall be managed and disposed of in accordance with federal and state laws, San Diego Municipal Code, and City Administrative Regulation 85.10, Records Management, Retention and Disposition.
- b. SDFD personnel shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute UAS imagery in any manner without their supervisor's approval and in accordance with agency policies.

## PUBLIC ACCESS

The public has no access to SDFD UAS data. UAS collected DME can only be accessed by SDFD UAS personnel and is managed by Department policy.

Nothing in this policy restricts the City's ability to comply with state and federal law regarding disclosure of public records.

Individuals have the right to find out what information, if any, about the person is in a record and how it is used; correct or amend a record of PII, and report alleged UAS operation misconduct. Comments, complaints, and requests may be submitted through the following:

1. City of San Diego "Get It Done" phone application under "Other;"
2. City of San Diego "Get It Done" webpage;
3. Email to [UnmannedSystems@san diego.gov](mailto:UnmannedSystems@san diego.gov).

## THIRD PARTY DATA SHARING

UAS are countywide resources and SDFD may share data collected by UAS with other authorized agencies in accordance with local, state and federal law and SDFD policy and procedure. Authorized agencies may include the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives, Federal Bureau of Investigations and local law enforcement agencies.

## TRAINING

The UAS Program is comprised of specialty personnel and may include pilots, observers and others as deemed necessary. UAS operations are under the direct command of the UAS Program Manager. All UAS personnel are trained in UAS operations in compliance with SDFD Operations Manual, Standard Instruction 2, Section 46, Part 2.

All new members shall receive training in the following prior to serving in an operational capacity:

1. Agency commitment to safety
2. Agency policy and procedures



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3. The member's role in safety
4. Process for reporting hazards and occurrences
5. Applicable emergency procedures

During all operations, the UAS Pilot is trained to make every effort to only capture visual imagery consistent with the mission objectives and to protect the privacy of nearby uninvolved citizens and their property.

All UAS Pilots must complete all required SDFD UAS Pilot training, which includes specialized UAS Flight training and classroom to include procedures on DME collection, retention, and impounding, and the protection of citizens' privacy rights. Recurrent training for all UAS pilots and observers will be conducted no less than twice each calendar year.

## **AUDITING AND OVERSIGHT**

The SDFD UAS Program has the following internal audit procedures:

- A. Auditing and Annual Reporting
  - a. The UAS Program Lead shall audit flight documentation monthly. This audit will include the following:
    - i. A summary of missions/uses, appropriateness of uses, evaluation of the effectiveness of the UAS, safety concerns, and equipment concerns, etc.
    - ii. An audit of flight time and pilot currency.
  - b. The results of the audit will be documented and submitted to the UAS Program Manager for review.

## **MAINTENANCE**

The SDFD UAS Program conducts all required maintenance and inspections on all aircraft in accordance with manufacturer recommendations.